

Senate Fiscal Agency  
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**SFA**



**BILL ANALYSIS**

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Senate Bill 336 (as enrolled)  
Sponsor: Senator Bill Bullard, Jr.  
Committee: Government Operations

Date Completed: 3-2-99

## **RATIONALE**

The Michigan Election Law prescribes the offices of a township that must be filled by election, and the number of persons who must be elected to each office; this includes a requirement that if a township creates a township park commission under Public Act 157 of 1905, the commission must have six members. Public Act 157 provides for the acquisition and control of township parks, and the creation of township park commissions; Section 6 of the Act requires that six members be elected to a township park commission.

It has been pointed out that requiring a board to have an even number of members can be an impediment to decision-making. Reportedly, this has happened in West Bloomfield Township, where a three-three split in commission membership has resulted in a continued deadlock. Proposed legislation (House Bill 4011) would amend Public Act 157 to require a township park commission to be composed of an odd number of members. It has been suggested that the Election Law also be amended to conform with the provisions of Public Act 157, so if Public Act 157 were changed, the Election Law would not be in conflict with the change.

## **CONTENT**

The bill would amend the Michigan Election Law to delete a requirement that six township park commissioners be elected to a township park commission, and provide instead that the number of township park commissioners elected would be determined as provided under Section 6 of Public Act 157 of 1905.

The bill is tie-barred to House Bill 4011, which would amend Public Act 157 to require that an elected township park commission have an odd number of members; but not less than five or more than nine, as determined by the township board.

MCL 168.358

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

A township park commission with an odd number of members is less likely to become deadlocked or stalemated, and thus more likely to be able to carry out its responsibilities, than an even-numbered commission. Currently, such boards have six elected members and in at least one case, deadlock has repeatedly occurred. The bill provides that the number of park commissioners required to be elected under the Election Law would be a number as determined under the provisions of Public Act 157, and thus would prevent any conflicts between the Election Law and Public Act 157. Together, the Senate bill and the tie-barred House bill would ensure that township park commissions had an odd number of members.

Legislative Analyst: G. Towne

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: R. Ross

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.